

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

EXTRAORDINARY

No. 2

GOVERNMENT OF GOA, DAMAN AND DIU

Law Department

Legal Affairs Branch

Notification

LD/1/86-L.A.B./1195

The following Notification bearing No. 2/2/85-Judl-Cell dated the 4th December, 1986 issued by the Ministry of Home Affairs, New Delhi, is hereby published for general information.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 18th December, 1986.

GOVERNMENT OF INDIA

(BHARAT SARKAR)

MINISTRY OF HOME AFFAIRS

GRIH MANTRALAYA

New Delhi the 24th December, 1986

Notification

S. O. In exercise of the powers conferred by sub-section (1) of section 475 of the Code of Criminal Procedure, 1973, (2 of 1974), the Central Government hereby makes the following rules to amend the Criminal Courts and Court-Martial (Adjustment of Jurisdiction) Rules, 1978, namely:—

1. (1) These Rules may be called the Criminal Courts and Court-Martial (Adjustment of Jurisdiction) Amendment Rules, 1986.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Criminal Courts and Court-Martial (Adjustment of Jurisdiction) Rules, 1978, (hereinafter referred to as "the said rules") —

(i) for the words "subject to military, naval or air force law" wherever they occur, the words "subject to military, naval, air force or coast guard law" shall be substituted;

(ii) for the words "competent military, naval or air force authority", wherever they occur, the words "competent military, naval, air force or coast guard authority" shall be substituted"; and

(iii) for the word "Court-martial", wherever it occurs the words "court-martial or coast guard court, as the case may be" shall be substituted.

3. In rule 2 of the said rules —

(a) in clause (a) —

(i) for sub-clause (ii), the following sub-clause shall be substituted, namely: —

"(ii) in relation to a person subject to naval law, means the Commanding Officer of the ship or naval establishment or unit to which such person belongs or is attached;"

(ii) after sub-clause (iii) the following shall be inserted as sub-clause (iv), namely: —

"(iv) in relation to a person subject to the coast guard law, means the Commanding Officer of the coast guard ship or establishment or unit to which such person belongs or is attached;" and

(b) after clause (d), the following shall be inserted as clause (e), namely: —

"(e) competent coast guard authority means the Director General or Inspector General or

Deputy Inspector General within whose command the accused person is serving."

4. In rule 5 of the said rules, —

(i) for the words "the commanding officer of the accused or the competent military, naval or air force authority, as the case may be", the words "such authority" shall be substituted;

(ii) for the words "such officer or authority". the words "such authority" shall be substituted; and

(iii) for the words, figure, brackets and letters "referred to in clauses (a), (b), (c) and (d) of

rule 4", the words and figure "under rule 4" shall be substituted.

(No. 2/2/85-Judl. Cell).

Sd/-

(N. P. NAWANI)

JOINT SECY. TO THE GOVT. OF INDIA.

Note: The principal rules were published vide No. SO 488 dated 9-2-1978 in the Gazette of India dated 25-2-1978.

Corrigendum

The issue of the Official Gazette, Series I No. 38 dated 22-12-1986 wherein the Goa, Daman and Diu (Sixty Fourth) Amendment Rules, 1986 have been published, be treated as "Extraordinary" issue.